

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
HATTIESBURG DIVISION

JOEY TATE, ET AL.,

PLAINTIFFS

v.

Civil Action No. 2:07cv1009KS-MTP

WAYNE FARMS, LLC

DEFENDANT

ORDER

This matter is before the court on the motion for approval of communications with prospective plaintiffs [4] filed by defendant. Defendant filed this motion in response to reports it had received from employees at one of its facilities that they had received telephone calls at their homes from persons believed to be attorneys inquiring about the consent forms recently mailed to them in connection with this case. Defendant argues that although it accepts plaintiff's counsel's representation that it was not the source of these calls, the motion should still be granted so that the source of the calls can be identified, and various potential case management problems can be averted. While the court appreciates defendant's concerns, the court does not find good cause to allow defendant to contact prospective plaintiffs during this critical notice and opt-in period. Should defendant wish to pursue this issue further, it may do so during the regular discovery process, after the notice and opt-in periods are over.

IT IS, THEREFORE, ORDERED and ADJUDGED that the motion for approval of communications with prospective plaintiffs [4] is denied.

SO ORDERED this the 29th day of February, 2008.

s/ Michael T. Parker

United States Magistrate Judge